

DISPOSITION: October 19, 1945. A plea of guilty having been entered, the court imposed a fine of \$100 on each of the 3 counts, a total fine of \$300, plus costs.

1688. Misbranding of Sep-Tone. U. S. v. Donald D. Dolan (Dolan Laboratories).
Plea of nolo contendere. Fine, \$200. (F. D. C. No. 15492. Sample Nos. 72064-F, 89736-F.)

INFORMATION FILED: May 7, 1945, Eastern District of Missouri, against Donald D. Dolan, trading as the Dolan Laboratories, St. Louis, Mo.

ALLEGED SHIPMENT: On or about June 24 and October 6, 1944, from the State of Missouri into the State of Illinois.

PRODUCT: Analysis disclosed that the product consisted essentially of water, with small amounts of potassium dichromate; sodium, zinc, and copper sulfo-carbolates; ammonium chloride, and an iodide.

NATURE OF CHARGE: Misbranding, Section 502 (a), the name of the article, "Sep-Tone," was misleading since it represented and created the impression that the article would be an efficacious treatment for septic conditions in poultry, and that it would improve the tone of poultry. The article would not be efficacious for such purposes.

Further misbranding, Section 502 (a), certain label statements were false and misleading since they represented and suggested that the article would be efficacious in the treatment of septic conditions in poultry and rabbits; that it would be efficacious to improve the tone of poultry; that it would be efficacious in the cure, mitigation, treatment, and prevention of enteritis, mycosis, cholera, typhoid, colds, coccidiosis, bronchitis, and other bacterial infections; that it would be efficacious in the treatment of fowls out of condition; and that, in the dilution recommended, it possessed antiseptic properties. The article would not be efficacious for the purposes claimed, and it was not an antiseptic in the dilution recommended.

DISPOSITION: October 16, 1945. A plea of nolo contendere having been entered, the court imposed a fine of \$100 on each count, a total fine of \$200.

1689. Misbranding of Illinois Special Sheep Medicine and Illinois Sun Rise Concentrate. U. S. v. 50 Bags of Illinois Special Sheep Medicine and 6 Bags of Illinois Sun Rise Concentrate. Consent decree of condemnation. Products ordered released under bond. (F. D. C. No. 15810. Sample Nos. 22522-H, 22523-H.)

LABEL FILED: On or about April 16, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about January 30, 1945, by the Illinois Manufacturing Co. of Quincy, Quincy, Ill.

PRODUCT: 50 100-pound bags of *Illinois Special Sheep Medicine* and 6 100-pound bags of *Illinois Sun Rise Concentrate* at Lancaster, Mo.

Analyses of samples disclosed that the *Sheep Medicine* consisted essentially of mineral constituents, including 37 percent of salt, tobacco dust, limestone, charcoal, iron sulfate, and small amounts of copper and phosphate, and no potassium iodide; and that the *Concentrate* consisted essentially of plant material, including 20 percent of protein, bran, charcoal, calcium carbonate, soda, sugars, iron oxide, copper sulfate, and yeast.

NATURE OF CHARGE: *Sheep Medicine*, misbranding, Section 502 (a), the following statements in the labeling were false and misleading since the article contained no potassium iodide; it would not assist nature in keeping animals healthy; and it was not effective in the prevention or treatment of stomach worms in sheep and goats: (Bag) "Formula * * * Potassium Iodide"; (circular entitled "Illinois Sheep Medicine (Feed as Directed)") "Assist nature in keeping the animal healthy"; "Under ordinary conditions your sheep and goats should not need drenching for stomach worms where Illinois Sheep Medicine is fed regularly"; "Potassium Iodide."

Concentrate, misbranding, Section 502 (a), the following statements in the labeling were false and misleading since the article would not make oats and wheat more digestible; it was not a substitute for sunshine; it would not enable animals to digest and assimilate nutrients in feed that otherwise would be wasted; it would not furnish minerals essential for digestion, promote vitality, or insure faster growth and development and lower feeding costs; and it was not effective in the treatment of coccidiosis: (Circular entitled "Illinois Sun Rise Concentrate Open Formula") "oats and wheat * * * when Sunrise Concentrate is added, becomes more digestible"; "Sunrise Concentrate contains